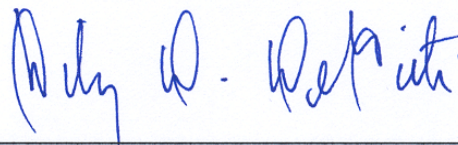


In the Report and Recommendation, the Magistrate Judge advised the parties of their right to file objections to the findings and conclusions set forth therein; she also cautioned them that failure to timely object would constitute a waiver of their right to appellate review of the Report and Recommendation. The Magistrate Judge scheduled a December 11, 2008 deadline for filing objections. To date, neither party has filed objections. Therefore, the Report and Recommendation [Doc. No. 18] is adopted as though fully set forth herein. The decision of the Commissioner is REVERSED and this action is REMANDED for further administrative proceedings as specified in

the Report and Recommendation.

IT IS SO ORDERED this 17th day of February, 2009.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE